

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**THE DELAWARE RIVERKEEPER,
THE DELAWARE RIVERKEEPER
NETWORK and AMERICAN LITTORAL
SOCIETY**

Plaintiffs,

v.

JAMES S. SIMPSON, ET AL.,

Defendants.

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CIVIL ACTION NO. 07-2489

ORDER

AND NOW, this _____ day of March, 2008, upon consideration of the Plaintiffs' Complaint and Request for a Preliminary Injunction (Docs. 1, 10 & 11), Defendants' Responses in Opposition and Motions to Dismiss (Docs. 7, 9, 12, 14-19, 22, 27 & 28) and Plaintiffs' Responses (Docs. 13, 20, 24 & 32), it is **HEREBY ORDERED AND DECREED** that Plaintiff's Request for a Preliminary Injunction is **DENIED**. **IT IS FURTHER ORDERED** that Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.

BY THE COURT:

/S/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.